

IN THE IOWA DISTRICT COURT FOR POLK COUNTY

<b>STATE OF IOWA,</b>  <b>Plaintiff,</b>  <b>v.</b>  <b>IEISHA THERESA MCDUFFY,</b>  <b>Defendant.</b>	<b>Case No. FECR309252</b>  <b>FINDINGS OF FACT, CONCLUSIONS OF LAW, AND VERDICT</b>
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**STATEMENT OF THE CASE**

On October 17, 2017, the State filed a trial information against defendant Leisha McDuffy charging her murder in the first degree. Defendant entered a plea of not guilty. She also asserted the defense of insanity.

Defendant waived her right to a jury trial and the case was submitted essentially as a trial on the minutes and the court file. The parties stipulated to the admission of two forensic evaluation reports from a psychologist hired by each party. Both experts concluded that defendant met the standards for insanity at the time of the killing. Both parties also agreed that the opinions were consistent with other evaluations, documents from the court file, and other evidence in the case. The State agreed that it did not have sufficient evidence to support a contrary argument.

**FINDINGS OF FACT**

**Facts relating to the offense:** The court makes its findings of fact relating to the offense based on the minutes of testimony. Lakeisha McDuffy was defendant's sister. On or about September 9, 2017, Lakeisha was babysitting for another sister, Caprice Gordon. Defendant was temporarily staying with Lakeisha and was present at the apartment. On or about 1:00 a.m. on September 10, 2017, Lakeisha's children awoke to hear their mother screaming. Lakeisha's son

went out to the kitchen to see defendant holding a large black knife while wrestling with his mother. He saw three stab wounds on his mother and watched her fall to the ground. Defendant stated “bitch, that is what you get.”

Lakeisha’s daughter separately left the bedroom after hearing her mother scream. She ran out to the common hallway to another apartment, but ran into defendant. Defendant told Lakeisha’s daughter to go back to the residence “before I stab you next.” She then saw her mother entered the hallway and fall down. Defendant jumped on her mother and defendant stabbed her again.

Police responded to emergency calls and found Lakeisha in the hall in front of her apartment with neighbors rendering aid. Medics transported Lakeisha to Iowa Methodist Medical Center. She was pronounced dead at the hospital. The medical examiner found one stab wound to the center of the chest which perforated the heart, seven wounds to the upper right back, and two wounds to the upper right arm. He determined Lakeisha died from multiple sharp force trauma.

Defendant called 911 and told the dispatcher to “come and get me.” The responding officer found defendant along the street smoking a cigarette. Defendant confirmed her name and the officer told her that he would taking her into custody. Defendant responded by making a mumbling statement about dropping a knife. Another officer arrived with a canine and began to search the surrounding area. They found a knife by a nearby fence. Officers saw blood on defendant’s leg, but no corresponding injury. Defendant was later charged with murder in the first degree.

**Insanity defense:** Each party retained an expert to conduct a forensic evaluation to help determine whether defendant was insane at the time of the murder. The State hired Tracy

Thomas, a board certified forensic psychologist from Iowa. Defendant hired Steven Bruce, a licensed clinical psychologist from the University of Missouri at St. Louis. Both experts considered numerous records, including medical records, court filings, discovery, and investigative materials. The investigative materials included video and audio interviews with defendant on the date of Lakeisha's death. Both experts personally interviewed defendant.

Dr. Bruce saw defendant on December 4, 2017, and January 9, 2019.<sup>1</sup> He stated defendant's primary mental health diagnosis was severe schizophrenia disorder. She has been hospitalized for mental health problems several times since the age of 20.<sup>2</sup> Defendant was last seen for mental health care less than a month prior to Lakeisha's death. That provider reported that defendant "continues to struggle with her mental health and long history of schizophrenia." The provider further reported that defendant lacked insight into her mental health and diagnosis.

Defendant also has a long history of violent behavior and unprovoked attacks. According to one medical record, defendant reported that she has a "history of hearing voices telling her to kill herself and others dating back to 2007." The medical records show that defendant has committed acts of violence while hospitalized, including attacks on staff and other patients, and threats to kill her mother and staff members.

Schizophrenia is diagnosed after a patient shows at least two of the following five symptoms: 1) delusions, 2) hallucinations, 3) disorganized speech, 4) disorganized or catatonic behavior, and 5) negative symptoms. Dr. Bruce found evidence to support the first three symptoms. He further found that defendant's actions and statements from September 10, 2017 are consistent with a person "suffering from severe psychotic symptoms[.]" He cited, as an example, defendant's delusion that she believed Lakeisha was the devil. Dr. Bruce found that

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<sup>1</sup> The first meeting was to determine defendant's competence to stand trial, but Dr. Bruce used information from that meeting to help evaluate defendant's insanity claim.

<sup>2</sup> Defendant was 31 at the Lakeisha was killed.

defendant's state of mind and actions were substantially influenced by her psychological difficulties. He ultimately found that defendant was not able to distinguish right from wrong on the date of the killing. He further found that her "mental conditions did not allow her to form a premeditated, deliberate, specific intent to kill" Lakeisha on September 10, 2017.

Dr. Thomas saw defendant on February 12, 2019. Dr. Thomas described defendant's past delusions in detail, stating that defendant had history of delusions "related to God, the devil, and demons." In July of 2007, defendant was found wandering the streets with her five year old daughter "muttering religious statements" and otherwise acting paranoid, suspicious, and hallucinating. Defendant was involuntarily committed at that point and her daughter removed from her care. Dr. Thomas described a several other instances of delusional, psychotic, and violent behavior between 2008 and 2017.

Dr. Thomas stated that the video and audio recordings of defendant's interaction with law enforcement were consistent with her diagnosis. One video showed defendant alone in an interview room "seemingly talking to someone not in the room." Dr. Thomas described defendant's speech as "disorganized and difficult or impossible to follow." This behavior continued after defendant was sent to the jail. The sheriff's office reported that, upon arrival at the jail, defendant "was talking to herself and appeared to be having conversations with someone that was not present at the time."

Dr. Thomas found evidence to support all five symptoms of schizophrenia. She stated that defendant continued to show some symptoms even during her interview more than a year after the killing. Dr. Thomas found "abundant" evidence from the investigative record to show that defendant showed "active, severe symptoms of schizophrenia on 9/10/2017." Dr. Thomas concluded that defendant's condition "rendered her incapable of distinguishing between right

and wrong in relation to the murder of her sister.” She further concluded that any intent defendant had to kill Lakeisha “would have been driven by delusions and hallucinations and been impacted by her disorganized psychotic thought processes.”

### **CONCLUSIONS OF LAW**

The trial information charged defendant with murder in the first degree in violation of Iowa Code sections 707.1 and 707.2(1). The State must prove that the murder was committed “willfully, deliberately, and with premeditation.” *State v. Heemstra*, 721 N.W.2d 549, 554 (Iowa 2006). Additionally, murder in the first degree includes the element of specific intent to kill. *State v. Walker*, 538 N.W.2d 316, 320 (Iowa App. 1995) *overruled on other grounds by State v. Reeves*, 636 N.W.2d 22 (Iowa 2001); *see also State v. Ramirez*, 616 N.W.2d 587, 593 (Iowa 2000) *also overruled on other grounds by Reeves*. When a person intentionally uses a deadly weapon in killing a victim, the finder of fact may infer that he had formed the specific intent to kill. *State v. Wilkens*, 346 N.W.2d 16, 20 (Iowa 1984) (use of a firearm).

Defendant claimed the defense of insanity. *See* Iowa Code § 701.4. The statute requires the defendant to show she was either (1) incapable of knowing the nature and quality of the act he is committing, or (2) incapable of distinguishing between right and wrong in relation to that act. *State v. Becker*, 818 N.W.2d 135, 144 (Iowa 2012). The defendant must also show that a diseased or deranged condition of the mind rendered her incapable of having the relevant knowledge for making the relevant distinction. *Id.* Defendant has the burden of proving insanity by a preponderance of the evidence. *Id.*

Use of the insanity defense often results in a “battle of experts,” with each party using expert testimony to support their view. *State v. Venzke*, 576 N.W.2d 382, 384 (Iowa App. 1997). The trier of fact is not obligated to accept opinion evidence as conclusive. *Id. citing State v.*

*Brown*, 470 N.W.2d 30, 33 (Iowa 1991); *see also State v. Jacobs*, 607 N.W.2d 679, 685 (Iowa 2000). Reviewing courts readily defer to the district court's judgment as the district court is in a better position to weigh the credibility of the witnesses. *Venzke*, 576 N.W.2d at 384 (ruling on the insanity defense in a bench trial); *Jacobs*, 607 N.W.2d at 685 (same).

In this case, there was no battle of experts because both experts reached the same conclusion. Both experts concluded that defendant had a long-time diagnosis of schizophrenia, that she was symptomatic on the date of Lakeisha's killing, and that her mental health condition prevented her from distinguishing between right and wrong on that date. The experts supported their opinions by citing to defendant's medical records and the investigative materials in the case, and in particular, the recorded law enforcement contacts with law enforcement. These video and audio recordings allowed the psychologists to directly see and hear how defendant was acting shortly after the killing. Her actions and statements were symptomatic of schizophrenia. They were also consistent with defendant's history of delusions, disorganized speech, disorganized thoughts, and violent actions in the past (albeit not to the extent of the murder that occurred in this case).

Based on the reports from each parties' expert witness, and the evidence in support of their opinions, the court concludes that defendant has met her burden of proving the insanity defense. Pursuant to Iowa R. Crim. P. 2.22(8), defendant shall be committed to a state mental health institute or other appropriate facility for a complete psychiatric evaluation. After the facility submits a report, the court will set a hearing to determine whether defendant remains mentally ill and a danger to herself or others.

**VERDICT AND ORDER**

The court finds defendant not guilty by reason of insanity pursuant to Iowa Code section 701.4. The Polk County Sheriff shall transport defendant to the Iowa Medical and Classification Center (IMCC) at Oakdale for a complete psychiatric evaluation. The center shall provide a report as provided in Rule 2.22(8)(d) within 15 days of admission stating whether defendant is mentally ill and dangerous to the defendant's self or others. This order shall be provided to the chief medical officer at or prior to the time defendant is admitted.

Defendant shall remain held without bond pending further proceedings as set forth above.

Copy to:

Polk Co. Sheriff

IMMC – Oakdale



State of Iowa Courts

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**Type:**

**Case Title**  
STATE VS IEISHA THERESA MCDUFFY  
OTHER ORDER

So Ordered

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Jeffrey Farrell, District Court Judge,  
Fifth Judicial District of Iowa

Electronically signed on 2019-04-26 14:07:11